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Attorney for Defendants Contra Costa County,
 Robert Kochly, Paul Sequeira, Brian Baker, Gene
 Greenwald, Darryl Jackson & Paul Mulligan

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

MICHAEL GRESSETT

Plaintiff,

v.

CONTRA COSTA COUNTY; CITY OF
 MARTINEZ; ROBERT KOCHLY; PAUL
 SEQUEIRA; BRIAN BAKER; GENE
 GREENWALD; DARRYL JACKSON;
 PAUL MULLIGAN; JON SYLVIA; JOYCE
 BLAIR; WILLIAM DANIEL O'MALLEY;
 TOM MCKENNA; O'MALLEY &
 MCKENNA LAW OFFICE and DOES 1-
 100,

Defendants.

Case No.: 3-12-cv-03798 EMC

**STIPULATION TO SET BRIEFING
 SCHEDULE ON MOTIONS TO DISMISS;
 CONTINUING CASE MANAGEMENT
 CONFERENCE AND ORDER THEREON**

Plaintiff MICHAEL GRESSETT ("Plaintiff") and Defendants CONTRA COSTA
 COUNTY; ROBERT KOCHLY; PAUL SEQUEIRA; BRIAN BAKER; GENE GREENWALD;
 DARRYL JACKSON and PAUL MULLIGAN ("County Defendants"); Defendants CITY OF
 MARTINEZ and JON SYLVIA ("Martinez Defendants"); Defendant JOYCE BLAIR
 ("BLAIR"); Defendant WILLIAM DANIEL O'MALLEY ("O'Malley") and Defendant TOM
 MCKENNA ("McKenna"), through their undersigned counsel, hereby stipulate as follows:

1. Plaintiff filed his Third Amended Complaint on June 14, 2013.

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2. Defendants have met and conferred on their responses to the Third Amended Complaint. They have agreed that the defendants share many of the same arguments, and to the extent possible, will incorporate portions of the brief filed by the County Defendants. It will be necessary to circulate drafts of the brief, which will add to the time necessary to prepare the motions. However, the coordinated motions will allow each defendant to focus specifically on arguments that are unique to their positions and reduce the total number of pages of argument submitted in support of the motions to dismiss.

3. Because of prepaid vacations and the demands of other cases, defendants will not be able to file their coordinated motions until August 6, 2013.

4. Plaintiff's counsel has a trial starting September 9, 2013 and another on September 23 which is estimated to take 60 days.

5. The parties therefore respectfully request that the Court order the following schedule for motions to dismiss the Third Amended Complaint:

- a. File motions by August 6, 2013;
- b. Opposition by August 23, 2013;
- c. Reply Memoranda by August 30, 2012; and
- d. Hearing on September 6, 2013.

6. The Case Management Conference is currently set for July 18, 2013. The parties request that the Conference be continued to a date of the Court's choosing after resolution of the motions to dismiss.

Dated: June 28, 2013

By Jayne Burns /s/ _____

Attorney for Plaintiff Michael Gressett

By _____/s/_____
Todd Boley

Attorney for County Defendants

By _____/s/_____
Dale L. Allen, Jr., Dirk D. Larsen & Kevin P.
Allen

Attorney for Defendants City of Martinez and Jon Sylvia

By _____/s/_____
James V. Fitzgerald, III, Thomas G. Beatty and
Petra Bruggisser;

Attorney for Defendant Tom McKenna

By _____/s/_____
Austin R. Gibbons & A. Byrne Conley

Attorney for Defendant William Daniel O'Malley

By _____/s/_____
Kamala D. Harris, John P. Devine, David W.
Hamilton, and Wilfred T. Fong

Attorney for Defendant Joyce Blair

ORDER

The parties having stipulated thereto, IT IS HEREBY ORDERED, ADJUDGED AND
DECREED THAT:

1. Defendants shall filed their motions to dismiss the Third Amended Complaint by
August 6, 2013;

2. Plaintiff shall file his Opposition by August 23, 2013;
3. Defendants shall file their Reply Memoranda by August 30, 2012;
4. The hearing on the motions will be held on September 6, 2013; and ¹⁹ at 1:30 p.m.
5. The Case Management Conference be taken off calendar and ~~will be reset at date~~
following resolution of the motions to dismiss. is reset for 10/17/13 at 9:00 a.m.

Dated: 7/1, 2013

